

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed November 18, 2005. Claims 1-32 are pending in the application. The Examiner rejects Claims 1-4, 7-11, 14-20, 23-29, and 32 and objects to Claims 5-6, 12-13, 21-22, and 30-31. Reconsideration and favorable action are requested.

Allowable Subject Matter

Applicant notes with appreciation the Examiner's indication that Claims 5-6, 12-13, 21-22, and 30-31 would be allowable if rewritten in independent form including all of the features of the base claim and any intervening claims. However, as discussed below, Applicant believes that independent Claims 1, 9, 16, and 25 (from which Claims 5-6, 12-13, 21-22, and 30-31 depend, respectively) are also allowable. Therefore, Applicant has not amended Claims 5-6, 12-13, 21-22, and 30-31. Applicant respectfully requests reconsideration and allowance of all pending claims.

Rejections under 35 U.S.C. § 102

The Examiner rejects Claims 1-4, 7-11, 14-20, 23-29, and 32 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,408,296 issued to Acharya et al. ("*Acharya*"). Applicant respectfully traverses this rejection for the following reasons.

Independent Claim 1, of the present Application, recites:

A method for preparing files for storage in a server comprising:
generating a profile for a selected file, the profile identifying at
least one associated file to be accessed by the selected file; and
transmitting, to a server, the selected file, the profile, and the at
least one associated file.

Thus, Claim 1 clearly recites operations that include the following elements: (1) a profile; (2) a selected file; and (3) at least one associated file. The claim also recites that the at least one associated file is "to be accessed by the selected file."

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987); MPEP § 2131. In addition, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claims" and "[t]he elements must be arranged as required by the claim." *Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989); *In re Bond*, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990); MPEP § 2131 (*emphasis added*). Whether considered alone or in combination with any other cited references, *Acharya* does not disclose, either expressly or inherently, each and every element of the claims.

For example, *Acharya* does not disclose, teach, or suggest "generating a profile for a selected file, the profile identifying at least one associated file to be accessed by the selected file," as recited by Claim 1. Rather, *Acharya* discloses "a method for satisfying a request for information which identifies a file independently of its location on a particular server." (Column 2, lines 11-15). According to *Acharya*, "a user's selection of a hyper link is an initiation of a request for the file located at the electronic address identified by the URL with which the hyperlink is associated." (Column 1, lines 41-44). A broken link occurs "when a Web page is written such that a hyperlink is established to a file having a particular electronic address on a server and the file is subsequently deleted from or moved relative to the server." (Column 2, lines 2-6). To "reduce the problem of broken links," *Acharya* discloses that "links, such as hyperlinks, to files comprise a new construct . . . termed an indirect link." (Column 2, lines 21-24).

"An indirect link is a logical link identifying a file to be retrieved, not by its electronic address or URL, but by a logical reference." (Column 2, lines 24-26). "The logical reference may identify the server on which the file exists, but does not identify the file's complete electronic address, i.e., an identification of a particular server and the file's location on that server." (Column 2, lines 26-30). "Rather, the server or a proxy computer uses a look up table which relates the logical reference to an actual current electronic address at the server containing the file." (Column 2, lines 30-33). Accordingly, in operation, "[u]pon selection of the indirect link, the client transmits the logical reference to the server identified in the logical reference associated with the indirect link using the GET URL request." (Column 3,

lines 53-56). “When the server receives the logical reference, it checks the look-up table to determine the current electronic address of the file and then retrieves and transmits the file to the client in the usual fashion.” (Column 3, lines 59-62).

In the Office Action, the Examiner states that *Acharya* discloses “a profile in the context of Applicant’s invention because the Applicant describes a profile for a given file to be files that are immediately associated with the file (See Applicant’s specification Page 11, line 31-Page 12, line 1).” (Office Action, page 4). However, Applicant’s Claim 1 recites, “the profile **identifying** at least one associated file to be accessed by the selected file.” Similarly, the portion of the specification quoted by the Examiner also states that “[i]n one embodiment, profile 38 for any given file 34 may identify files that are immediately associated with the file.” (Specification, Page 11, line 31 through Page 12, line 1). Thus, as recited by Applicant’s claim and as described by Applicant’s specification, the profile identifies at least one associated file; the profile is not the at least one associated file.

In the Office Action, the Examiner states that “the indirect link is the immediate file associated with the profile in *Acharya et al.*; that therefore falls in the category of a profile.” (Office Action, page 4). Thus, it appears to Applicant that the Examiner considers the indirect link of *Acharya* to be analogous to both of Applicant’s recited “profile” and Applicant’s recited “one or more associated files.” Applicant respectfully submits, however, that the indirect link disclosed in *Acharya* is not analogous to either of Applicant’s profile or the one or more associated files. Specifically, and as discussed above, *Acharya* discloses that the indirect link “is a logical link identifying a file to be retrieved, not by its electronic address or URL, but by a logical reference.” (Column 2, lines 24-26). An example, of an indirect link as provided by *Acharya* is: <http://www.bell-labs.com/user/mypapers>. (Column 3, lines 43-47). *Acharya* explains that “[t]his is an indirect link to a file identified as mypapers.” (Column 3, line 48). “It is simply a name for a file or group of files and it encapsulates no physical location information of the file relative to the server specified in the logical reference.” (Column 3, line 48-51). Thus, the indirect link is merely the identifier that a user selects to open a Web page but cannot be said to be either a “profile identifying at least one associated file” or “at least one associated file to be accessed by the selected file,” as recited in Applicant’s Claim 1.

Additionally, Applicant submits that the look-up table of *Acharya* is not analogous to the recited “profile identifying at least one associated file to be accessed by the selected file” of Applicant’s Claim 1. To the contrary, *Acharya* discloses that the look-up table “stores a mapping of every logical reference exported from the server to its current physical location (i.e., electronic address) on the server.” (Column 3, lines 56-59). Thus, when the file assigned to the indirect link is requested (i.e., the user clicks on the indirect link), the look-up table is used to identify the physical location of the requested file. Specifically, “[w]hen the server receives the logical reference, it checks the look-up table to determine the current electronic address of the file and then retrieves and transmits the file to the client in the usual fashion.” (Column 3, lines 59-62). Thus, when a file is requested via the indirect link, the look-up table is used to identify the physical location of the requested file. It does not “[identify] at least one associated file” and certainly does not “[identify] at least one associated file **to be accessed by the selected file**,” as recited in Applicant’s Claim 1.

Simply put, nothing in *Acharya* discloses, teaches, or suggests a profile that identifies files to be accessed by a selected file for which the profile was generated. Since nothing in *Acharya* discloses, teaches, or suggests either a “profile identifying at least one associated file” or “at least one associated file to be accessed by the selected file,” as recited in Applicant’s Claim 1, *Acharya* also cannot be said to disclose, teach, or suggest “transmitting, to a server, the selected file, the profile, and the at least one associated file,” as recited in Applicant’s Claim 1.

For at least these reasons, Applicant respectfully requests reconsideration and allowance of Claim 1, together with Claims 2-8 that depend from Claim 1.

Independent Claims 9 also recites elements that are distinguishable from *Acharya*. For example, Claim 9 recites “generating, at a client device, a profile for a selected file that is to be downloaded from a server, the profile identifying all associated files to be accessed by the selected file after the selected file is downloaded from the server.” Thus, Claim 9 is allowable over *Acharya* for reasons analogous to those provided above with respect to Claim 1.

As another example, Claim 9 recites “after transmitting the selected file, the profile, and all of the associated files, initiating downloading of the selected file from the server; identifying all of the associated files by examining the profile; and in response to identifying all of the associated files, initiating downloading of all of the associated files from the server,” as recited by Claim 9. These elements and operations are also not disclosed, taught, or suggested by *Acharya*. As discussed above, *Acharya* merely discloses a look-up table that “stores a mapping of every logical reference exported from the server to its current physical location (i.e., electronic address) on the server.” (Column 3, lines 56-59). Thus, when a file is requested via the indirect link, the look-up table is used to identify the physical location of the requested file. Specifically, “[w]hen the server receives the logical reference, it checks the look-up table to determine the current electronic address of the file and then retrieves and transmits the file to the client in the usual fashion.” (Column 3, lines 59-62). Thus, the look-up table merely provides address translation for the requested file. There is no disclosure of “after transmitting the selected file, the profile, and all of the associated files, initiating downloading of the selected file from the server; identifying all of the associated files by examining the profile; and in response to identifying all of the associated files, initiating downloading of all of the associated files from the server,” as recited by Claim 9.

For at least these reasons, Applicant respectfully requests reconsideration and allowance of Claim 9, together with Claims 10-15 that depend from Claim 9.

Independent Claims 16 and 25 also recite elements that are distinguishable from *Acharya*. For example, Claim 16 recites “generating a profile for the parent file identifying all of the descendent files that are immediately associated with the parent file as immediately associated with the parent file.” Claim 16 also recites “for each level of the descendent files, generating a profile for each descendent file in the level, the profile identifying all of the descendent files that are immediately associated with the descendent file as immediately associated with the descendent file.” Claim 25 recites “generate a profile for a selected file, the profile identifying at least one associated file to be accessed by the selected file” and “initiate transmission, to a server, of the selected file, the profile, and the at least one

associated file.” Thus, Claims 16 and 25 are allowable over *Acharya* for reasons analogous to those provided above with respect to Claim 1.

For at least these reasons, Applicant respectfully requests reconsideration and allowance of Claims 16 and 25, together with Claims 17-24 and 26-32 that depend from Claims 16 and 25, respectively.

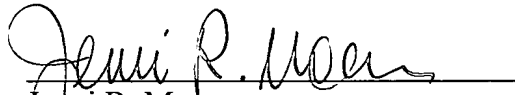
CONCLUSION

Applicant has made an earnest attempt to place this case in condition for allowance. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests reconsideration and full allowance of all pending Claims.

If the Examiner feels that a conference would advance prosecution of this Application in any manner, Jenni R. Moen stands willing to conduct such a telephone interview at the convenience of the Examiner.

Applicant does not believe that any fees are due. However, the Commissioner is hereby authorized to charge these fees and any extra fee or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,
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